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C O N F I D E N T I A L SECTION 01 OF 02 ABUJA 001836

SIPDIS

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DOE FOR GEORGE PERSON

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SUBJECT: NIGERIA: DRL A/S KRAMER, DAS KRILLA MEET ELECTORAL

REFORM COMMITTEE

REF: ABUJA 1715

Classified By: Acting Political Counselor Geoffrey Martineau for reason
s 1.4. (b & d).

¶1. (C) Summary: On September 8, Assistant Secretary of State for Democracy, Human Rights and Labor David Kramer and DAS Jeffrey Krilla met with eight members of the Electoral Reform Committee (ERC) including the committee chairman, former Chief Justice Muhammadu Uwais. They discussed the ERC's progress to date, which committee members report is moving forward. They also discussed the timing of the ERC's upcoming report. Uwais said the ERC asked President Yar'Adua specifically for a deadline extension of four additional months, as its members are confident they will be able to submit their report in December. Uwais said the objective is to implement the ERC's recommendations prior to the 2011 elections. End Summary.

ERC's Progress

¶2. (C) Uwais briefly reviewed the ERC's history and told A/S Kramer that the ERC received 200 memoranda with recommendations even before ERC members began nationwide public hearings (which included two sessions in each of the six geopolitical zones), and that by the conclusion of the hearings they had received 1,133 additional memoranda. Uwais stressed, "due to the avalanche of submissions, it was not possible to submit recommendations to President Yar'Adua this August." He added that the President graciously granted the ERC's request for a deadline extension of four months. He noted that the ERC asked specifically for an extension until December, as its members are confident they will complete their work by that time. In addition, Uwais said the ERC has sought advice from outside experts, including professors and legal drafters.

Next Steps for Reform

¶3. (C) Uwais was steadfast in his insistence that the ERC would not reveal to us their forthcoming recommendations. Saying that the ERC is committed to presenting its report to the President before revealing its recommendations to other interested parties, Uwais speculated that the President's office would study the ERC's recommendations and implement some changes, while other recommendations will require amendments to the Electoral Act or the Constitution. Uwais

told A/S Kramer that the goal is to implement the recommendations prior to the 2011 elections. (Comment: Given this goal, should the Supreme Court annul the 2007 election in the coming months -- which remains an outside possibility -- it is unlikely that electoral reforms would be implemented in time for any rerun. End Comment.)

GON's Political Will

¶4. (C) When asked if Nigerian leaders are committed to implementing the ERC's recommendations and moving electoral reforms forward, Uwais replied that he can only speak about the President, who as convener of the ERC is indeed committed. Additionally, the ERC met with Senate President David Mark, and has plans to meet with Speaker of the House Dimeji Bankole soon, to encourage support in the National Assembly.

Ongoing Progress, Yar'Adua a "sick man"

¶5. (C) After the meeting, two committee members told the CDA that the ERC has made considerable progress, and confirmed that the report will be delivered in December. Mr. Olisa Agabakoba, President of the Nigerian Bar Association (protect) said the committee is much more focused than it was initially, and its members clearly understand their obligation to the President and to the country. Agabakoba told the CDA that the ERC has already formulated some significant initial recommendations which were presented to the President when they met to request an extension. Dr. Jibrin Ibrahim (protect), President of the Center for Democracy and Development, echoed his colleague's statements,

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although he was less enthusiastic about the forthcoming recommendations. (Note: Ibrahim's lack of fervor is not surprising given reports that he initially had difficulty focusing on the Committee's goal, essentially wanting to abandon the current electoral process entirely and start from scratch. End Note.) On a side note, both Agabakoba and Ibrahim observed that Yar'Adua looked unwell during their meeting. Agabakoba commented: "he is clearly a sick man." PFLAUMER